

2005 SENATE BILL 426

1 **AN ACT** *to repeal* 108.02 (15) (k) 14., 108.04 (1) (e), 108.04 (7) (f) and 108.05 (1)
2 (j) to (m); *to renumber* 108.22 (1) (ad); *to renumber and amend* 108.105 and
3 108.22 (8) (b); *to amend* 20.445 (1) (gd), 20.445 (1) (nb), 20.445 (1) (nc), 20.445
4 (1) (nd), 20.445 (1) (ne), 108.02 (12) (a), 108.02 (12) (dm), 108.02 (12) (dn), 108.02
5 (15) (j) 5. and 6., 108.02 (21) (b), 108.02 (21e) (intro.) and (b), 108.04 (1) (b) 1.,
6 108.04 (1) (b) 3. (intro.), 108.04 (1) (c), 108.04 (5), 108.04 (13) (c), 108.04 (13) (e),
7 108.04 (16) (b), 108.04 (16) (c) 2., 108.05 (1) (n) (intro.), 108.05 (3) (a), 108.05 (10)
8 (b), 108.068 (2), 108.068 (8), 108.09 (2) (bm), 108.09 (4s), 108.151 (4) (b), 108.16
9 (6m) (a), 108.16 (8) (e) 1., 108.16 (8) (h), 108.17 (2g), 108.18 (1) (a), 108.18 (2)
10 (d), 108.20 (2m), 108.205 (2), 108.22 (1) (ac), 108.22 (1) (b), 108.22 (1) (c), 108.22
11 (1m), 108.22 (2), 108.225 (1) (a), 108.225 (20), 108.24 (2) and 165.60; and *to*
12 *create* 20.445 (1) (gi), 108.02 (15) (j) 7., 108.04 (5g), 108.04 (13) (g), 108.05 (1)
13 (o) and (p), 108.09 (4n), 108.105 (2), 108.151 (7), 108.151 (8), 108.152 (7), 108.16
14 (6w) and (6x), 108.16 (8) (em), 108.16 (8) (im), 108.16 (8) (m) to (o), 108.17 (2b),

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108.205 (1m), 108.22 (1) (ad) 2., 108.22 (8) (b) 2. and 165.066 of the statutes;
relating to: various changes in the unemployment insurance law, authorized
positions for the department of justice, making appropriations, and providing
penalties.

Analysis by the Legislative Reference Bureau

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. 20.005 (3) (schedule) of the statutes: at the appropriate place, insert the following amounts for the purposes indicated:

				2005–06	2006–07
20.445	Workforce development, department of				
(1)	WORKFORCE DEVELOPMENT				
(gi)	Unemployment insurance law				
	enforcement	PR	C	18,300	36,500

SECTION 2. 20.445 (1) (gd) of the statutes is amended to read:

20.445 **(1)** (gd) *Unemployment interest and penalty payments.* From the moneys received as interest and penalties collected under ss. 108.04 (11) (c) and (cm) and 108.22, assessments under s. 108.19 (1m), and forfeitures under s. 103.05 (5), all moneys not appropriated under pars. (ge), (gf) and, (gg), and (gi), and all moneys transferred to this appropriation account from the appropriation account under par. (gh) for the payment of benefits specified in s. 108.07 (5) and 1987 Wisconsin Act 38, section 132 (1) (c), for the payment of interest to employers under s. 108.17 (3m), for the payment of interest due on advances from the federal unemployment account

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1 under title XII of the social security act to the unemployment reserve fund, and for
2 payments made to the unemployment reserve fund to obtain a lower interest rate or
3 deferral of interest payments on these advances, except as otherwise provided in s.
4 108.20.

5 **SECTION 3.** 20.445 (1) (gi) of the statutes is created to read:

6 20.445 (1) (gi) *Unemployment insurance law enforcement.* From the moneys
7 received as interest and penalties collected under ss. 108.04 (11) (c) and (cm) and (13)
8 (c) and 108.22, as a continuing appropriation, the amounts in the schedule for the
9 purpose of assisting the department of justice in the enforcement of ch. 108.

10 **SECTION 4.** 20.445 (1) (nb) of the statutes is amended to read:

11 20.445 (1) (nb) *Unemployment administration; information technology*
12 *systems; federal moneys.* From the moneys received from the federal government
13 under section 903 (d) of the federal Social Security Act, as amended, as a continuing
14 appropriation, the amounts in the schedule, as authorized by the governor under s.
15 16.54, for the purpose specified in s. 108.19 (1e) (d). All moneys transferred from par.
16 (n) for this purpose shall be credited to this appropriation account. ~~Notwithstanding~~
17 ~~s. 20.001 (3) (a), the treasurer of the unemployment reserve fund shall transfer any~~
18 ~~unencumbered balance in this appropriation account that is not needed or available~~
19 ~~to carry out the purpose of this appropriation to the appropriation account under par.~~
20 ~~(n).~~ No moneys may be expended from this appropriation unless the treasurer of the
21 unemployment reserve fund determines that such expenditure is currently needed
22 for the purpose specified in s. 108.19 (1e) (d).

23 **SECTION 5.** 20.445 (1) (nc) of the statutes is amended to read:

24 20.445 (1) (nc) *Unemployment insurance administration; special federal*
25 *moneys.* All moneys received from the federal government under section 903 of the

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1 federal Social Security Act, as amended, for federal fiscal years 2000 and 2001 and
2 the first \$2,289,107 \$3,289,107 of the moneys received from the federal government
3 under that act for federal fiscal year 2002, as authorized by the governor under s.
4 16.54, to be used for administration of unemployment insurance. No moneys may
5 be encumbered or expended from this appropriation after September 30, 2007.

6 **SECTION 6.** 20.445 (1) (nd) of the statutes is amended to read:

7 20.445 **(1)** (nd) *Unemployment ~~insurance~~ administration; apprenticeship.*
8 From the moneys received from the federal government under section 903 (d) of the
9 federal Social Security Act, as amended, the amounts in the schedule, as authorized
10 by the governor under s. 16.54, to be used for administration by the department of
11 apprenticeship programs under subch. I of ch. 106. All moneys transferred from par.
12 (n) for this purpose shall be credited to this appropriation account. ~~Notwithstanding~~
13 ~~s. 20.001 (3) (a), the treasurer of the unemployment reserve fund shall transfer any~~
14 ~~unencumbered balance in this appropriation account that is not needed or available~~
15 ~~to carry out the purpose of this appropriation to the appropriation account under par.~~
16 ~~(n).~~ No moneys may be expended from this appropriation unless the treasurer of the
17 unemployment reserve fund determines that such expenditure is currently needed
18 for the purpose specified in this paragraph.

19 **SECTION 7.** 20.445 (1) (ne) of the statutes is amended to read:

20 20.445 **(1)** (ne) *Unemployment administration; bank service costs.* From the
21 moneys received by this state under section 903 (d) of the federal Social Security Act,
22 as amended, all moneys transferred from the appropriation account under par. (n)
23 to be used for the payment of the cost of banking services incurred by the
24 unemployment reserve fund. ~~Notwithstanding s. 20.001 (3) (c), the treasurer of the~~
25 ~~unemployment reserve fund shall transfer any unencumbered balance in this~~

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1 ~~appropriation account that is not needed or available to carry out the purpose of this~~
2 ~~appropriation to the appropriation account under par. (n).~~ No moneys may be
3 expended from this appropriation unless the treasurer of the unemployment reserve
4 fund determines that such expenditure is currently needed for the purpose specified
5 in this paragraph.

6 **SECTION 8.** 108.02 (12) (a) of the statutes is amended to read:

7 108.02 **(12)** (a) “Employee” means any individual who is or has been performing
8 services for pay for an employing unit, ~~in an employment,~~ whether or not the
9 individual is paid directly by such the employing unit; except as provided in par. (b),
10 (bm), (c), (d), (dm) or (dn).

11 **SECTION 9.** 108.02 (12) (dm) of the statutes is amended to read:

12 108.02 **(12)** (dm) Paragraph (a) does not apply to an individual who owns a
13 business that operates as a sole proprietorship with respect to services the individual
14 performs for that business.

15 **SECTION 10.** 108.02 (12) (dn) of the statutes is amended to read:

16 108.02 **(12)** (dn) Paragraph (a) does not apply to a partner in a business that
17 operates as a partnership with respect to services the partner performs for that
18 business.

19 **SECTION 11.** 108.02 (15) (j) 5. and 6. of the statutes are amended to read:

20 108.02 **(15)** (j) 5. In any quarter in the employ of any organization exempt from
21 federal income tax under section 501 (a) of the internal revenue code, other than an
22 organization described in section 401 (a) or 501 (c) (3) of such code, or under section
23 521 of the internal revenue code, if the remuneration for such service is less than \$50;
24 ~~or~~

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1 6. By a nonresident alien for the period that he or she is temporarily present
2 in the United States as a nonimmigrant under 8 USC 1101 (a) (15) (F), (J), (M), or
3 (Q), if the service is performed to carry out the purpose for which the alien is admitted
4 to the United States, as provided in 8 USC 1101 (a) (15) (F), (J), (M), or (Q), or by the
5 spouse or minor child of such an alien if the spouse or child was also admitted to the
6 United States under 8 USC 1101 (a) (15) (F), (J), (M), or (Q) for the same purpose;
7 or

8 **SECTION 12.** 108.02 (15) (j) 7. of the statutes is created to read:

9 108.02 **(15)** (j) 7. By an individual who is a participant in the AmeriCorps
10 program in a program that is funded under 42 USC 12581 (a) or (d) (1) or (2), except
11 service performed pursuant to a professional corps program as described in 42 USC
12 12572 (a) (8) or service performed pursuant to an innovative education award only
13 program under 42 USC 12653 (b).

14 **SECTION 13.** 108.02 (15) (k) 14. of the statutes is repealed.

15 **SECTION 14.** 108.02 (21) (b) of the statutes is amended to read:

16 108.02 **(21)** (b) Notwithstanding par. (a), except as provided in s. 108.151 (7)
17 (a), an employer's payroll includes only the first \$10,500 of wages paid by an
18 employer to an individual during a calendar year, including any wages paid for any
19 work covered by the unemployment insurance law of any other state, except as
20 authorized in s. 108.17 (5).

21 **SECTION 15.** 108.02 (21e) (intro.) and (b) of the statutes are amended to read:

22 108.02 **(21e)** PROFESSIONAL EMPLOYER ORGANIZATION. (intro.) "Professional
23 employer organization" means any person who contracts to provide the
24 nontemporary, ongoing employee workforce of ~~a client~~ more than one client under
25 a written leasing contract, the majority of whose clients are not under the same

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1 ownership, management, or control as the person other than through the terms of
2 the contract, and who under contract and in fact:

3 (b) Sets the rate of pay of the employees, whether or not through negotiations
4 and whether or not the responsibility to set the rate of pay is shared with the client;

5 **SECTION 16.** 108.04 (1) (b) 1. of the statutes is amended to read:

6 108.04 (1) (b) 1. While the employee is unable to work, or unavailable for work,
7 if his or her employment with an employer was suspended by the employee or by the
8 employer or was terminated by the employer because the employee was unable to do,
9 or unavailable for, suitable work otherwise available with the employer, except as
10 provided in par. (c);

11 **SECTION 17.** 108.04 (1) (b) 3. (intro.) of the statutes is amended to read:

12 108.04 (1) (b) 3. While the employee is on family or medical leave under the
13 federal family and medical leave act of 1993 (P.L. 103–3) or s. 103.10, and except as
14 provided in par. (c), until whichever of the following occurs first:

15 **SECTION 18.** 108.04 (1) (c) of the statutes is amended to read:

16 108.04 (1) (c) If a leave of absence under par. (b) 2. or a family or medical leave
17 under par. (b) 3. is granted to an employee for a portion of a week, if an employee is
18 absent for only a portion of the available work in a week due to a suspension under
19 par. (b) 1., or if an employee is absent for only a portion of the available work in a week
20 in which a termination under par. (b) 1. occurs, the employee's eligibility for benefits
21 for that partial week shall be reduced by the amount of wages that the employee
22 could have earned in his or her work had the leave not been granted or had the
23 suspension or termination not occurred. For purposes of this paragraph, the
24 department shall treat the amount the employee would have earned as wages in that
25 work for that week as wages earned by the employee and shall apply the method

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1 specified in s. 108.05 (3) (a) to compute the benefits payable to the employee. The
2 department shall estimate the wages that an employee would have earned for a
3 partial week if it is not possible to compute the exact amount of wages that the
4 employee would have earned for that partial week.

5 **SECTION 19.** 108.04 (1) (e) of the statutes is repealed.

6 **SECTION 20.** 108.04 (5) of the statutes is amended to read:

7 108.04 (5) DISCHARGE FOR MISCONDUCT. ~~An~~ Unless sub. (5g) applies, an
8 employee whose work is terminated by an employing unit for misconduct connected
9 with the employee's work is ineligible to receive benefits until 7 weeks have elapsed
10 since the end of the week in which the discharge occurs and the employee earns
11 wages after the week in which the discharge occurs equal to at least 14 times the
12 employee's weekly benefit rate under s. 108.05 (1) in employment or other work
13 covered by the unemployment insurance law of any state or the federal government.
14 For purposes of requalification, the employee's weekly benefit rate shall be that rate
15 which would have been paid had the discharge not occurred. The wages paid to an
16 employee by an employer which terminates employment of the employee for
17 misconduct connected with the employee's employment shall be excluded from the
18 employee's base period wages under s. 108.06 (1) for purposes of benefit entitlement.
19 This subsection does not preclude an employee who has employment with an
20 employer other than the employer which terminated the employee for misconduct
21 from establishing a benefit year using the base period wages excluded under this
22 subsection if the employee qualifies to establish a benefit year under s. 108.06 (2) (a).
23 The department shall charge to the fund's balancing account any benefits otherwise
24 chargeable to the account of an employer that is subject to the contribution

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1 requirements under ss. 108.17 and 108.18 from which base period wages are
2 excluded under this subsection.

3 **SECTION 21.** 108.04 (5g) of the statutes is created to read:

4 **108.04 (5g) DISCHARGE FOR FAILURE TO NOTIFY EMPLOYER OF ABSENTEEISM OR**
5 **TARDINESS.** (a) If an employee is discharged for failing to notify his or her employer
6 of absenteeism or tardiness that becomes excessive, and the employer has complied
7 with the requirements of par. (d) with respect to that employee, the employee is
8 ineligible to receive benefits until 6 weeks have elapsed since the end of the week in
9 which the discharge occurs and the employee earns wages after the week in which
10 the discharge occurs equal to at least 6 times the employee's weekly benefit rate
11 under s. 108.05 (1) in employment or other work covered by the unemployment
12 insurance law of any state or the federal government. For purposes of
13 requalification, the employee's weekly benefit rate shall be the rate that would have
14 been paid had the discharge not occurred.

15 (b) For purposes of this subsection, tardiness becomes excessive if an employee
16 is late for 6 or more scheduled workdays in the 12-month period preceding the date
17 of the discharge without providing adequate notice to his or her employer.

18 (c) For purposes of this subsection, absenteeism becomes excessive if an
19 employee is absent for 5 or more scheduled workdays in the 12-month period
20 preceding the date of the discharge without providing adequate notice to his or her
21 employer.

22 (d) 1. The requalifying requirements under par. (a) apply only if the employer
23 has a written policy on notification of tardiness or absences that:

24 a. Defines what constitutes a single occurrence of tardiness or absenteeism;

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1 b. Describes the process for providing adequate notice of tardiness or absence;
2 and

3 c. Notifies the employee that failure to provide adequate notice of an absence
4 or tardiness may lead to discharge.

5 2. The employer shall provide a copy of the written policy under subd. 1. to each
6 employee and shall have written evidence that the employee received a copy of that
7 policy.

8 3. The employer must have given the employee at least one warning concerning
9 the employee's violation of the employer's written policy under subd. 1. within the
10 12-month period preceding the date of the discharge.

11 4. The employer must apply the written policy under subd. 1. uniformly to all
12 employees of the employer.

13 (e) The department shall charge to the fund's balancing account the cost of any
14 benefits paid to an employee that are otherwise chargeable to the account of an
15 employer that is subject to the contribution requirements under ss. 108.17 and
16 108.18 if the employee is discharged by that employer and par. (a) applies.

17 (f) This subsection applies only to discharges occurring during the period
18 beginning on the first Sunday that follows the 90th day beginning after the effective
19 date of this paragraph [revisor inserts date], and ending on the last day of the
20 4-year period that begins on that Sunday.

21 **SECTION 22.** 108.04 (7) (f) of the statutes is repealed.

22 **SECTION 23.** 108.04 (13) (c) of the statutes is amended to read:

23 108.04 **(13)** (c) If an employer, after notice of a benefit claim, fails to file an
24 objection to the claim under s. 108.09 (1), any benefits allowable under any resulting
25 benefit computation shall, unless the department applies a provision of this chapter

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1 to disqualify the claimant, be promptly paid. Except as otherwise provided in this
2 paragraph, any eligibility question in objection to the claim raised by the employer
3 after benefit payments to the claimant are commenced does not affect benefits paid
4 prior to the end of the week in which a determination is issued as to the eligibility
5 question unless the benefits are erroneously paid without fault on the part of the
6 employer. If, during the period beginning on January 1, 2006, and ending on June
7 28, 2008, an employer fails to provide correct and complete information requested by
8 the department during a fact-finding investigation, but later provides the requested
9 information, charges to the employer's account for benefits paid prior to the end of
10 the week in which a redetermination is issued regarding the matter or, if no
11 redetermination is issued, prior to the end of the week in which an appeal tribunal
12 decision is issued regarding the matter, are not affected by the redetermination or
13 decision, except as provided in par. (g). If benefits are erroneously paid because the
14 employer and the employee are at fault, the department shall charge the employer
15 for the benefits and proceed to create an overpayment under s. 108.22 (8) (a). If
16 benefits are erroneously paid without fault on the part of the employer, regardless
17 of whether the employee is at fault, the department shall charge the benefits as
18 provided in par. (d), unless par. (e) applies, and proceed to create an overpayment
19 under s. 108.22 (8) (a). If benefits are erroneously paid because an employer is at
20 fault and the department recovers the benefits erroneously paid under s. 108.22 (8),
21 the recovery does not affect benefit charges made under this paragraph.

22 **SECTION 24.** 108.04 (13) (e) of the statutes is amended to read:

23 108.04 **(13)** (e) If the department erroneously pays benefits from one
24 employer's account and a 2nd employer is at fault, the department shall credit the
25 benefits paid to the first employer's account and charge the benefits paid to the 2nd

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1 employer's account. Filing of a tardy or corrected report or objection does not affect
2 the 2nd employer's liability for benefits paid prior to the end of the week in which the
3 department makes a recomputation of the benefits allowable or prior to the end of
4 the week in which the department issues a determination concerning any eligibility
5 question raised by the report or by the 2nd employer. If, during the period beginning
6 on January 1, 2006, and ending on June 28, 2008, the 2nd employer fails to provide
7 correct and complete information requested by the department during a fact-finding
8 investigation, but later provides the requested information, the department shall
9 charge to the account of the 2nd employer the cost of benefits paid prior to the end
10 of the week in which a redetermination is issued regarding the matter or, if no
11 redetermination is issued, prior to the end of the week in which an appeal tribunal
12 decision is issued regarding the matter, except as provided in par. (g). If the
13 department recovers the benefits erroneously paid under s. 108.22 (8), the recovery
14 does not affect benefit charges made under this paragraph.

15 **SECTION 25.** 108.04 (13) (g) of the statutes is created to read:

16 108.04 (13) (g) During the period beginning on January 1, 2006, and ending on
17 June 28, 2008, if benefits are erroneously paid because an employer fails to provide
18 correct and complete information requested by the department during a fact-finding
19 investigation, the employer is at fault unless an appeal tribunal, the commission, or
20 a court of competent jurisdiction finds that the employer had good cause for the
21 failure to provide the information.

22 **SECTION 26.** 108.04 (16) (b) of the statutes is amended to read:

23 108.04 (16) (b) The department shall not apply any benefit disqualification
24 under sub. (1) (b) 1., ~~(2) (a) or (d)~~, (7) (c), or (8) (e) or s. 108.141 (3g) that is not the

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1 result of training or basic education under par. (a) while an individual is enrolled in
2 a course of training or education that meets the standards specified in par. (a).

3 **SECTION 27.** 108.04 (16) (c) 2. of the statutes is amended to read:

4 108.04 **(16)** (c) 2. The department shall not apply benefit disqualifications
5 under sub. (1) (b) 1., ~~(2) (a) or (d)~~, (7) (c), or (8) (e) or s. 108.141 (3g) that are not the
6 result of the training while the individual is enrolled in the training.

7 **SECTION 28.** 108.05 (1) (j) to (m) of the statutes are repealed.

8 **SECTION 29.** 108.05 (1) (n) (intro.) of the statutes is amended to read:

9 108.05 **(1)** (n) (intro.) Each eligible employee shall be paid benefits for each
10 week of total unemployment which commences on or after December 29, 2002, and
11 before January 1, 2006, at the weekly benefit rate specified in this paragraph.
12 Unless sub. (1m) applies, the weekly benefit rate shall equal 4% of the employee's
13 base period wages which were paid during that quarter of the employee's base period
14 in which the employee was paid the highest total wages, rounded down to the nearest
15 whole dollar, except that, if that amount is less than the minimum amount shown
16 in the following schedule, no benefits are payable to the employee and, if that amount
17 is more than the maximum amount shown in the following schedule, the employee's
18 weekly benefit rate shall be the maximum amount shown in the following schedule
19 and except that, if the employee's benefits are exhausted during any week under s.
20 108.06 (1), the employee shall be paid the remaining amount of benefits payable to
21 the employee in lieu of the amount shown in the following schedule: [See Figure
22 108.05 (1) (n) following]

23 **SECTION 30.** 108.05 (1) (o) and (p) of the statutes are created to read:

24 108.05 **(1)** (o) Each eligible employee shall be paid benefits for each week of
25 total unemployment that commences on or after January 1, 2006, and before

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January 7, 2007, at the weekly benefit rate specified in this paragraph. Unless sub. (1m) applies, the weekly benefit rate shall equal 4 percent of the employee's base period wages that were paid during that quarter of the employee's base period in which the employee was paid the highest total wages, rounded down to the nearest whole dollar, except that, if that amount is less than the minimum amount shown in the following schedule, no benefits are payable to the employee and, if that amount is more than the maximum amount shown in the following schedule, the employee's weekly benefit rate shall be the maximum amount shown in the following schedule and except that, if the employee's benefits are exhausted during any week under s. 108.06 (1), the employee shall be paid the remaining amount of benefits payable to the employee in lieu of the amount shown in the following schedule: [See Figure 108.05 (1) (o) following]

Figure 108.05 (1) (o):

Line	Highest Quarterly Wages Paid		Weekly Benefit Rate
1.	Under	\$1,275.00	\$ 0
2.	1,275.00 to	1,299.99	51
3.	1,300.00 to	1,324.99	52
4.	1,325.00 to	1,349.99	53
5.	1,350.00 to	1,374.99	54
6.	1,375.00 to	1,399.99	55
7.	1,400.00 to	1,424.99	56

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8.	1,425.00	to	1,449.99	57
9.	1,450.00	to	1,474.99	58
10.	1,475.00	to	1,499.99	59
11.	1,500.00	to	1,524.99	60
12.	.....	1,525.00	to	1,549.99	.....	61
13.	.....	1,550.00	to	1,574.99	.....	62
14.	.....	1,575.00	to	1,599.99	.....	63
15.	.....	1,600.00	to	1,624.99	.....	64
16.	.....	1,625.00	to	1,649.99	.....	65
17.	.....	1,650.00	to	1,674.99	.....	66
18.	.....	1,675.00	to	1,699.99	.....	67
19.	.....	1,700.00	to	1,724.99	.....	68
20.	.....	1,725.00	to	1,749.99	.....	69
21.	.....	1,750.00	to	1,774.99	.....	70
22.	.....	1,775.00	to	1,799.99	.....	71
23.	.....	1,800.00	to	1,824.99	.....	72
24.	.....	1,825.00	to	1,849.99	.....	73
25.	.....	1,850.00	to	1,874.99	.....	74
26.	.....	1,875.00	to	1,899.99	.....	75
27.	.....	1,900.00	to	1,924.99	.....	76
28.	1,925.00	to	1,949.99	77
29.	1,950.00	to	1,974.99	78
30.	1,975.00	to	1,999.99	79
31.	2,000.00	to	2,024.99	80

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32.	2,025.00	to	2,049.99	81
33.	2,050.00	to	2,074.99	82
34.	2,075.00	to	2,099.99	83
35.	2,100.00	to	2,124.99	84
36.	.....	2,125.00	to	2,149.99	.....	85
37.	.....	2,150.00	to	2,174.99	.....	86
38.	.....	2,175.00	to	2,199.99	.....	87
39.	.....	2,200.00	to	2,224.99	.....	88
40.	.....	2,225.00	to	2,249.99	.....	89
41.	.....	2,250.00	to	2,274.99	.....	90
42.	.....	2,275.00	to	2,299.99	.....	91
43.	.....	2,300.00	to	2,324.99	.....	92
44.	.....	2,325.00	to	2,349.99	.....	93
45.	.....	2,350.00	to	2,374.99	.....	94
46.	.....	2,375.00	to	2,399.99	.....	95
47.	.....	2,400.00	to	2,424.99	.....	96
48.	.....	2,425.00	to	2,449.99	.....	97
49.	.....	2,450.00	to	2,474.99	.....	98
50.	.....	2,475.00	to	2,499.99	.....	99
51.	.....	2,500.00	to	2,524.99	.....	100
52.	2,525.00	to	2,549.99	101
53.	2,550.00	to	2,574.99	102
54.	2,575.00	to	2,599.99	103
55.	2,600.00	to	2,624.99	104

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56.	2,625.00	to	2,649.99	105
57.	2,650.00	to	2,674.99	106
58.	2,675.00	to	2,699.99	107
59.	2,700.00	to	2,724.99	108
60.	.....	2,725.00	to	2,749.99	.....	109
61.	.....	2,750.00	to	2,774.99	.....	110
62.	.....	2,775.00	to	2,799.99	.....	111
63.	.....	2,800.00	to	2,824.99	.....	112
64.	.....	2,825.00	to	2,849.99	.....	113
65.	.....	2,850.00	to	2,874.99	.....	114
66.	.....	2,875.00	to	2,899.99	.....	115
67.	.....	2,900.00	to	2,924.99	.....	116
68.	.....	2,925.00	to	2,949.99	.....	117
69.	.....	2,950.00	to	2,974.99	.....	118
70.	.....	2,975.00	to	2,999.99	.....	119
71.	.....	3,000.00	to	3,024.99	.....	120
72.	.....	3,025.00	to	3,049.99	.....	121
73.	.....	3,050.00	to	3,074.99	.....	122
74.	.....	3,075.00	to	3,099.99	.....	123
75.	.....	3,100.00	to	3,124.99	.....	124
76.	.....	3,125.00	to	3,149.99	.....	125
77.	.....	3,150.00	to	3,174.99	.....	126
78.	.....	3,175.00	to	3,199.99	.....	127
79.	.....	3,200.00	to	3,224.99	.....	128

SENATE BILL 426**SECTION 30**

80.	.....	3,225.00	to	3,249.99	.....	129
81.	.....	3,250.00	to	3,274.99	.....	130
82.	.....	3,275.00	to	3,299.99	.....	131
83.	.....	3,300.00	to	3,324.99	.....	132
84.	.....	3,325.00	to	3,349.99	.....	133
85.	.....	3,350.00	to	3,374.99	.....	134
86.	.....	3,375.00	to	3,399.99	.....	135
87.	.....	3,400.00	to	3,424.99	.....	136
88.	.....	3,425.00	to	3,449.99	.....	137
89.	.....	3,450.00	to	3,474.99	.....	138
90.	.....	3,475.00	to	3,499.99	.....	139
91.	.....	3,500.00	to	3,524.99	.....	140
92.	.....	3,525.00	to	3,549.99	.....	141
93.	.....	3,550.00	to	3,574.99	.....	142
94.	.....	3,575.00	to	3,599.99	.....	143
95.	.....	3,600.00	to	3,624.99	.....	144
96.	.....	3,625.00	to	3,649.99	.....	145
97.	.....	3,650.00	to	3,674.99	.....	146
98.	.....	3,675.00	to	3,699.99	.....	147
99.	.....	3,700.00	to	3,724.99	.....	148
100.	.....	3,725.00	to	3,749.99	.....	149
101.	.....	3,750.00	to	3,774.99	.....	150
102.	.....	3,775.00	to	3,799.99	.....	151
103.	.....	3,800.00	to	3,824.99	.....	152

SENATE BILL 426**SECTION 30**

104.	.....	3,825.00	to	3,849.99	.....	153
105.	.....	3,850.00	to	3,874.99	.....	154
106.	.....	3,875.00	to	3,899.99	.....	155
107.	.....	3,900.00	to	3,924.99	.....	156
108.	.....	3,925.00	to	3,949.99	.....	157
109.	.....	3,950.00	to	3,974.99	.....	158
110.	.....	3,975.00	to	3,999.99	.....	159
111.	.....	4,000.00	to	4,024.99	.....	160
112.	.....	4,025.00	to	4,049.99	.....	161
113.	.....	4,050.00	to	4,074.99	.....	162
114.	.....	4,075.00	to	4,099.99	.....	163
115.	.....	4,100.00	to	4,124.99	.....	164
116.	.....	4,125.00	to	4,149.99	.....	165
117.	.....	4,150.00	to	4,174.99	.....	166
118.	.....	4,175.00	to	4,199.99	.....	167
119.	.....	4,200.00	to	4,224.99	.....	168
120.	.....	4,225.00	to	4,249.99	.....	169
121.	.....	4,250.00	to	4,274.99	.....	170
122.	.....	4,275.00	to	4,299.99	.....	171
123.	.....	4,300.00	to	4,324.99	.....	172
124.	.....	4,325.00	to	4,349.99	.....	173
125.	.....	4,350.00	to	4,374.99	.....	174
126.	.....	4,375.00	to	4,399.99	.....	175
127.	.....	4,400.00	to	4,424.99	.....	176

SENATE BILL 426**SECTION 30**

128.	.....	4,425.00	to	4,449.99	.....	177
129.	.....	4,450.00	to	4,474.99	.....	178
130.	.....	4,475.00	to	4,499.99	.....	179
131.	.....	4,500.00	to	4,524.99	.....	180
132.	.....	4,525.00	to	4,549.99	.....	181
133.	.....	4,550.00	to	4,574.99	.....	182
134.	.....	4,575.00	to	4,599.99	.....	183
135.	.....	4,600.00	to	4,624.99	.....	184
136.	.....	4,625.00	to	4,649.99	.....	185
137.	.....	4,650.00	to	4,674.99	.....	186
138.	.....	4,675.00	to	4,699.99	.....	187
139.	.....	4,700.00	to	4,724.99	.....	188
140.	.....	4,725.00	to	4,749.99	.....	189
141.	.....	4,750.00	to	4,774.99	.....	190
142.	.....	4,775.00	to	4,799.99	.....	191
143.	.....	4,800.00	to	4,824.99	.....	192
144.	.....	4,825.00	to	4,849.99	.....	193
145.	.....	4,850.00	to	4,874.99	.....	194
146.	.....	4,875.00	to	4,899.99	.....	195
147.	.....	4,900.00	to	4,924.99	.....	196
148.	.....	4,925.00	to	4,949.99	.....	197
149.	.....	4,950.00	to	4,974.99	.....	198
150.	.....	4,975.00	to	4,999.99	.....	199
151.	.....	5,000.00	to	5,024.99	.....	200

SENATE BILL 426**SECTION 30**

152.	.....	5,025.00	to	5,049.99	.....	201
153.	.....	5,050.00	to	5,074.99	.....	202
154.	.....	5,075.00	to	5,099.99	.....	203
155.	.....	5,100.00	to	5,124.99	.....	204
156.	.....	5,125.00	to	5,149.99	.....	205
157.	.....	5,150.00	to	5,174.99	.....	206
158.	.....	5,175.00	to	5,199.99	.....	207
159.	.....	5,200.00	to	5,224.99	.....	208
160.	.....	5,225.00	to	5,249.99	.....	209
161.	.....	5,250.00	to	5,274.99	.....	210
162.	.....	5,275.00	to	5,299.99	.....	211
163.	.....	5,300.00	to	5,324.99	.....	212
164.	.....	5,325.00	to	5,349.99	.....	213
165.	.....	5,350.00	to	5,374.99	.....	214
166.	.....	5,375.00	to	5,399.99	.....	215
167.	.....	5,400.00	to	5,424.99	.....	216
168.	.....	5,425.00	to	5,449.99	.....	217
169.	.....	5,450.00	to	5,474.99	.....	218
170.	.....	5,475.00	to	5,499.99	.....	219
171.	.....	5,500.00	to	5,524.99	.....	220
172.	.....	5,525.00	to	5,549.99	.....	221
173.	.....	5,550.00	to	5,574.99	.....	222
174.	.....	5,575.00	to	5,599.99	.....	223
175.	.....	5,600.00	to	5,624.99	.....	224

SENATE BILL 426**SECTION 30**

176.	.....	5,625.00	to	5,649.99	.....	225
177.	.....	5,650.00	to	5,674.99	.....	226
178.	.....	5,675.00	to	5,699.99	.....	227
179.	.....	5,700.00	to	5,724.99	.....	228
180.	.....	5,725.00	to	5,749.99	.....	229
181.	.....	5,750.00	to	5,774.99	.....	230
182.	.....	5,775.00	to	5,799.99	.....	231
183.	.....	5,800.00	to	5,824.99	.....	232
184.	.....	5,825.00	to	5,849.99	.....	233
185.	.....	5,850.00	to	5,874.99	.....	234
186.	.....	5,875.00	to	5,899.99	.....	235
187.	.....	5,900.00	to	5,924.99	.....	236
188.	.....	5,925.00	to	5,949.99	.....	237
189.	.....	5,950.00	to	5,974.99	.....	238
190.	.....	5,975.00	to	5,999.99	.....	239
191.	.....	6,000.00	to	6,024.99	.....	240
192.	.....	6,025.00	to	6,049.99	.....	241
193.	.....	6,050.00	to	6,074.99	.....	242
194.	.....	6,075.00	to	6,099.99	.....	243
195.	.....	6,100.00	to	6,124.99	.....	244
196.	.....	6,125.00	to	6,149.99	.....	245
197.	.....	6,150.00	to	6,174.99	.....	246
198.	.....	6,175.00	to	6,199.99	.....	247
199.	.....	6,200.00	to	6,224.99	.....	248

SENATE BILL 426**SECTION 30**

200.	.....	6,225.00	to	6,249.99	.....	249
201.	.....	6,250.00	to	6,274.99	.....	250
202.	.....	6,275.00	to	6,299.99	.....	251
203.	.....	6,300.00	to	6,324.99	.....	252
204.	.....	6,325.00	to	6,349.99	.....	253
205.	.....	6,350.00	to	6,374.99	.....	254
206.	.....	6,375.00	to	6,399.99	.....	255
207.	.....	6,400.00	to	6,424.99	.....	256
208.	.....	6,425.00	to	6,449.99	.....	257
209.	.....	6,450.00	to	6,474.99	.....	258
210.	.....	6,475.00	to	6,499.99	.....	259
211.	.....	6,500.00	to	6,524.99	.....	260
212.	.....	6,525.00	to	6,549.99	.....	261
213.	.....	6,550.00	to	6,574.99	.....	262
214.	.....	6,575.00	to	6,599.99	.....	263
215.	.....	6,600.00	to	6,624.99	.....	264
216.	.....	6,625.00	to	6,649.99	.....	265
217.	.....	6,650.00	to	6,674.99	.....	266
218.	.....	6,675.00	to	6,699.99	.....	267
219.	.....	6,700.00	to	6,724.99	.....	268
220.	.....	6,725.00	to	6,749.99	.....	269
221.	.....	6,750.00	to	6,774.99	.....	270
222.	.....	6,775.00	to	6,799.99	.....	271
223.	.....	6,800.00	to	6,824.99	.....	272

SENATE BILL 426**SECTION 30**

224.	.....	6,825.00	to	6,849.99	.....	273
225.	.....	6,850.00	to	6,874.99	.....	274
226.	.....	6,875.00	to	6,899.99	.....	275
227.	.....	6,900.00	to	6,924.99	.....	276
228.	.....	6,925.00	to	6,949.99	.....	277
229.	.....	6,950.00	to	6,974.99	.....	278
230.	.....	6,975.00	to	6,999.99	.....	279
231.	.....	7,000.00	to	7,024.99	.....	280
232.	.....	7,025.00	to	7,049.99	.....	281
233.	.....	7,050.00	to	7,074.99	.....	282
234.	.....	7,075.00	to	7,099.99	.....	283
235.	.....	7,100.00	to	7,124.99	.....	284
236.	.....	7,125.00	to	7,149.99	.....	285
237.	.....	7,150.00	to	7,174.99	.....	286
238.	.....	7,175.00	to	7,199.99	.....	287
239.	.....	7,200.00	to	7,224.99	.....	288
240.	.....	7,225.00	to	7,249.99	.....	289
241.	.....	7,250.00	to	7,274.99	.....	290
242.	.....	7,275.00	to	7,299.99	.....	291
243.	.....	7,300.00	to	7,324.99	.....	292
244.	.....	7,325.00	to	7,349.99	.....	293
245.	7,350.00	to	7,374.99	294
246.	7,375.00	to	7,399.99	295
247.	7,400.00	to	7,424.99	296

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248.	7,425.00	to	7,449.99	297
249.	7,450.00	to	7,474.99	298
250.	7,475.00	to	7,499.99	299
251.	7,500.00	to	7,524.99	300
252.	.....	7,525.00	to	7,549.99	.....	301
253.	.....	7,550.00	to	7,574.99	.....	302
254.	.....	7,575.00	to	7,599.99	.....	303
255.	.....	7,600.00	to	7,624.99	.....	304
256.	.....	7,625.00	to	7,649.99	.....	305
257.	.....	7,650.00	to	7,674.99	.....	306
258.	.....	7,675.00	to	7,699.99	.....	307
259.	.....	7,700.00	to	7,724.99	.....	308
260.	.....	7,725.00	to	7,749.99	.....	309
261.	.....	7,750.00	to	7,774.99	.....	310
262.	.....	7,775.00	to	7,799.99	.....	311
263.	.....	7,800.00	to	7,824.99	.....	312
264.	.....	7,825.00	to	7,849.99	.....	313
265.	.....	7,850.00	to	7,874.99	.....	314
266.	.....	7,875.00	to	7,899.99	.....	315
267.	.....	7,900.00	to	7,924.99	.....	316
268.	.....	7,925.00	to	7,949.99	.....	317
269.	7,950.00	to	7,974.99	318
270.	7,975.00	to	7,999.99	319
271.	8,000.00	to	8,024.99	320

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272.	8,025.00	to	8,049.99	321
273.	8,050.00	to	8,074.99	322
274.	8,075.00	to	8,099.99	323
275.	8,100.00	to	8,124.99	324
276.	.....	8,125.00	to	8,149.99	.....	325
277.	.....	8,150.00	to	8,174.99	.....	326
278.	.....	8,175.00	to	8,199.99	.....	327
279.	.....	8,200.00	to	8,224.99	.....	328
280.	.....	8,225.00	to	8,249.99	.....	329
281.	.....	8,250.00	to	8,274.99	.....	330
282.	.....	8,275.00	to	8,299.99	.....	331
283.	.....	8,300.00	to	8,324.99	.....	332
284.	.....	8,325.00	to	8,349.99	.....	333
285.	.....	8,350.00	to	8,374.99	.....	334
286.	.....	8,375.00	to	8,399.99	.....	335
287.	.....	8,400.00	to	8,424.99	.....	336
288.	.....	8,425.00	to	8,449.99	.....	337
289.	.....	8,450.00	to	8,474.99	.....	338
290.	.....	8,475.00	to	8,499.99	.....	339
291.	.....	8,500.00	to	8,524.99	.....	340
292.	.....	8,525.00	and over	.....	.....	341

1 (p) Each eligible employee shall be paid benefits for each week of total
2 unemployment that commences on or after January 7, 2007, at the weekly benefit
3 rate specified in this paragraph. Unless sub. (1m) applies, the weekly benefit rate

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shall equal 4 percent of the employee's base period wages that were paid during that quarter of the employee's base period in which the employee was paid the highest total wages, rounded down to the nearest whole dollar, except that, if that amount is less than the minimum amount shown in the following schedule, no benefits are payable to the employee and, if that amount is more than the maximum amount shown in the following schedule, the employee's weekly benefit rate shall be the maximum amount shown in the following schedule and except that, if the employee's benefits are exhausted during any week under s. 108.06 (1), the employee shall be paid the remaining amount of benefits payable to the employee in lieu of the amount shown in the following schedule: [See Figure 108.05 (1) (p) following]

Figure 108.05 (1) (p):

Line	Highest Quarterly Wages Paid		Weekly Benefit Rate
293.	Under	\$1,325.00	\$ 0
294.	1,325.00 to	1,349.99	53
295.	1,350.00 to	1,374.99	54
296.	1,375.00 to	1,399.99	55
297.	1,400.00 to	1,424.99	56
298.	1,425.00 to	1,449.99	57
299.	1,450.00 to	1,474.99	58
300.	1,475.00 to	1,499.99	59
301.	1,500.00 to	1,524.99	60

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302.	1,525.00	to	1,549.99	61
303.	1,550.00	to	1,574.99	62
304.	1,575.00	to	1,599.99	63
305.	1,600.00	to	1,624.99	64
306.	.....	1,625.00	to	1,649.99	.....	65
307.	.....	1,650.00	to	1,674.99	.....	66
308.	.....	1,675.00	to	1,699.99	.....	67
309.	.....	1,700.00	to	1,724.99	.....	68
310.	.....	1,725.00	to	1,749.99	.....	69
311.	.....	1,750.00	to	1,774.99	.....	70
312.	.....	1,775.00	to	1,799.99	.....	71
313.	.....	1,800.00	to	1,824.99	.....	72
314.	.....	1,825.00	to	1,849.99	.....	73
315.	.....	1,850.00	to	1,874.99	.....	74
316.	.....	1,875.00	to	1,899.99	.....	75
317.	.....	1,900.00	to	1,924.99	.....	76
318.	.....	1,925.00	to	1,949.99	.....	77
319.	.....	1,950.00	to	1,974.99	.....	78
320.	.....	1,975.00	to	1,999.99	.....	79
321.	.....	2,000.00	to	2,024.99	.....	80
322.	2,025.00	to	2,049.99	81
323.	2,050.00	to	2,074.99	82
324.	2,075.00	to	2,099.99	83
325.	2,100.00	to	2,124.99	84

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326.	2,125.00	to	2,149.99	85
327.	2,150.00	to	2,174.99	86
328.	2,175.00	to	2,199.99	87
329.	2,200.00	to	2,224.99	88
330.	.....	2,225.00	to	2,249.99	.....	89
331.	.....	2,250.00	to	2,274.99	.....	90
332.	.....	2,275.00	to	2,299.99	.....	91
333.	.....	2,300.00	to	2,324.99	.....	92
334.	.....	2,325.00	to	2,349.99	.....	93
335.	.....	2,350.00	to	2,374.99	.....	94
336.	.....	2,375.00	to	2,399.99	.....	95
337.	.....	2,400.00	to	2,424.99	.....	96
338.	.....	2,425.00	to	2,449.99	.....	97
339.	.....	2,450.00	to	2,474.99	.....	98
340.	.....	2,475.00	to	2,499.99	.....	99
341.	.....	2,500.00	to	2,524.99	.....	100
342.	.....	2,525.00	to	2,549.99	.....	101
343.	.....	2,550.00	to	2,574.99	.....	102
344.	.....	2,575.00	to	2,599.99	.....	103
345.	.....	2,600.00	to	2,624.99	.....	104
346.	.....	2,625.00	to	2,649.99	.....	105
347.	2,650.00	to	2,674.99	106
348.	2,675.00	to	2,699.99	107
349.	2,700.00	to	2,724.99	108

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350.	2,725.00	to	2,749.99	109
351.	2,750.00	to	2,774.99	110
352.	2,775.00	to	2,799.99	111
353.	2,800.00	to	2,824.99	112
354.	.....	2,825.00	to	2,849.99	.....	113
355.	.....	2,850.00	to	2,874.99	.....	114
356.	.....	2,875.00	to	2,899.99	.....	115
357.	.....	2,900.00	to	2,924.99	.....	116
358.	.....	2,925.00	to	2,949.99	.....	117
359.	.....	2,950.00	to	2,974.99	.....	118
360.	.....	2,975.00	to	2,999.99	.....	119
361.	.....	3,000.00	to	3,024.99	.....	120
362.	.....	3,025.00	to	3,049.99	.....	121
363.	.....	3,050.00	to	3,074.99	.....	122
364.	.....	3,075.00	to	3,099.99	.....	123
365.	.....	3,100.00	to	3,124.99	.....	124
366.	.....	3,125.00	to	3,149.99	.....	125
367.	.....	3,150.00	to	3,174.99	.....	126
368.	.....	3,175.00	to	3,199.99	.....	127
369.	.....	3,200.00	to	3,224.99	.....	128
370.	.....	3,225.00	to	3,249.99	.....	129
371.	3,250.00	to	3,274.99	130
372.	3,275.00	to	3,299.99	131
373.	3,300.00	to	3,324.99	132

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374.	3,325.00	to	3,349.99	133
375.	3,350.00	to	3,374.99	134
376.	3,375.00	to	3,399.99	135
377.	3,400.00	to	3,424.99	136
378.	.....	3,425.00	to	3,449.99	.....	137
379.	.....	3,450.00	to	3,474.99	.....	138
380.	.....	3,475.00	to	3,499.99	.....	139
381.	.....	3,500.00	to	3,524.99	.....	140
382.	.....	3,525.00	to	3,549.99	.....	141
383.	.....	3,550.00	to	3,574.99	.....	142
384.	.....	3,575.00	to	3,599.99	.....	143
385.	.....	3,600.00	to	3,624.99	.....	144
386.	.....	3,625.00	to	3,649.99	.....	145
387.	.....	3,650.00	to	3,674.99	.....	146
388.	.....	3,675.00	to	3,699.99	.....	147
389.	.....	3,700.00	to	3,724.99	.....	148
390.	.....	3,725.00	to	3,749.99	.....	149
391.	.....	3,750.00	to	3,774.99	.....	150
392.	.....	3,775.00	to	3,799.99	.....	151
393.	.....	3,800.00	to	3,824.99	.....	152
394.	.....	3,825.00	to	3,849.99	.....	153
395.	3,850.00	to	3,874.99	154
396.	3,875.00	to	3,899.99	155
397.	3,900.00	to	3,924.99	156

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398.	3,925.00	to	3,949.99	157
399.	3,950.00	to	3,974.99	158
400.	3,975.00	to	3,999.99	159
401.	4,000.00	to	4,024.99	160
402.	.....	4,025.00	to	4,049.99	.....	161
403.	.....	4,050.00	to	4,074.99	.....	162
404.	.....	4,075.00	to	4,099.99	.....	163
405.	.....	4,100.00	to	4,124.99	.....	164
406.	.....	4,125.00	to	4,149.99	.....	165
407.	.....	4,150.00	to	4,174.99	.....	166
408.	.....	4,175.00	to	4,199.99	.....	167
409.	.....	4,200.00	to	4,224.99	.....	168
410.	.....	4,225.00	to	4,249.99	.....	169
411.	.....	4,250.00	to	4,274.99	.....	170
412.	.....	4,275.00	to	4,299.99	.....	171
413.	.....	4,300.00	to	4,324.99	.....	172
414.	.....	4,325.00	to	4,349.99	.....	173
415.	.....	4,350.00	to	4,374.99	.....	174
416.	.....	4,375.00	to	4,399.99	.....	175
417.	.....	4,400.00	to	4,424.99	.....	176
418.	.....	4,425.00	to	4,449.99	.....	177
419.	4,450.00	to	4,474.99	178
420.	4,475.00	to	4,499.99	179
421.	4,500.00	to	4,524.99	180

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422.	4,525.00	to	4,549.99	181
423.	4,550.00	to	4,574.99	182
424.	4,575.00	to	4,599.99	183
425.	4,600.00	to	4,624.99	184
426.	.....	4,625.00	to	4,649.99	.....	185
427.	.....	4,650.00	to	4,674.99	.....	186
428.	.....	4,675.00	to	4,699.99	.....	187
429.	.....	4,700.00	to	4,724.99	.....	188
430.	.....	4,725.00	to	4,749.99	.....	189
431.	.....	4,750.00	to	4,774.99	.....	190
432.	.....	4,775.00	to	4,799.99	.....	191
433.	.....	4,800.00	to	4,824.99	.....	192
434.	.....	4,825.00	to	4,849.99	.....	193
435.	.....	4,850.00	to	4,874.99	.....	194
436.	.....	4,875.00	to	4,899.99	.....	195
437.	.....	4,900.00	to	4,924.99	.....	196
438.	.....	4,925.00	to	4,949.99	.....	197
439.	.....	4,950.00	to	4,974.99	.....	198
440.	.....	4,975.00	to	4,999.99	.....	199
441.	.....	5,000.00	to	5,024.99	.....	200
442.	.....	5,025.00	to	5,049.99	.....	201
443.	5,050.00	to	5,074.99	202
444.	5,075.00	to	5,099.99	203
445.	5,100.00	to	5,124.99	204

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446.	5,125.00	to	5,149.99	205
447.	5,150.00	to	5,174.99	206
448.	5,175.00	to	5,199.99	207
449.	5,200.00	to	5,224.99	208
450.	.....	5,225.00	to	5,249.99	.....	209
451.	.....	5,250.00	to	5,274.99	.....	210
452.	.....	5,275.00	to	5,299.99	.....	211
453.	.....	5,300.00	to	5,324.99	.....	212
454.	.....	5,325.00	to	5,349.99	.....	213
455.	.....	5,350.00	to	5,374.99	.....	214
456.	.....	5,375.00	to	5,399.99	.....	215
457.	.....	5,400.00	to	5,424.99	.....	216
458.	.....	5,425.00	to	5,449.99	.....	217
459.	.....	5,450.00	to	5,474.99	.....	218
460.	.....	5,475.00	to	5,499.99	.....	219
461.	.....	5,500.00	to	5,524.99	.....	220
462.	.....	5,525.00	to	5,549.99	.....	221
463.	.....	5,550.00	to	5,574.99	.....	222
464.	.....	5,575.00	to	5,599.99	.....	223
465.	.....	5,600.00	to	5,624.99	.....	224
466.	.....	5,625.00	to	5,649.99	.....	225
467.	5,650.00	to	5,674.99	226
468.	5,675.00	to	5,699.99	227
469.	5,700.00	to	5,724.99	228

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470.	5,725.00	to	5,749.99	229
471.	5,750.00	to	5,774.99	230
472.	5,775.00	to	5,799.99	231
473.	5,800.00	to	5,824.99	232
474.	.....	5,825.00	to	5,849.99	.....	233
475.	.....	5,850.00	to	5,874.99	.....	234
476.	.....	5,875.00	to	5,899.99	.....	235
477.	.....	5,900.00	to	5,924.99	.....	236
478.	.....	5,925.00	to	5,949.99	.....	237
479.	.....	5,950.00	to	5,974.99	.....	238
480.	.....	5,975.00	to	5,999.99	.....	239
481.	.....	6,000.00	to	6,024.99	.....	240
482.	.....	6,025.00	to	6,049.99	.....	241
483.	.....	6,050.00	to	6,074.99	.....	242
484.	.....	6,075.00	to	6,099.99	.....	243
485.	.....	6,100.00	to	6,124.99	.....	244
486.	.....	6,125.00	to	6,149.99	.....	245
487.	.....	6,150.00	to	6,174.99	.....	246
488.	.....	6,175.00	to	6,199.99	.....	247
489.	.....	6,200.00	to	6,224.99	.....	248
490.	.....	6,225.00	to	6,249.99	.....	249
491.	6,250.00	to	6,274.99	250
492.	6,275.00	to	6,299.99	251
493.	6,300.00	to	6,324.99	252

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494.	6,325.00	to	6,349.99	253
495.	6,350.00	to	6,374.99	254
496.	6,375.00	to	6,399.99	255
497.	6,400.00	to	6,424.99	256
498.	.....	6,425.00	to	6,449.99	.....	257
499.	.....	6,450.00	to	6,474.99	.....	258
500.	.....	6,475.00	to	6,499.99	.....	259
501.	.....	6,500.00	to	6,524.99	.....	260
502.	.....	6,525.00	to	6,549.99	.....	261
503.	.....	6,550.00	to	6,574.99	.....	262
504.	.....	6,575.00	to	6,599.99	.....	263
505.	.....	6,600.00	to	6,624.99	.....	264
506.	.....	6,625.00	to	6,649.99	.....	265
507.	.....	6,650.00	to	6,674.99	.....	266
508.	.....	6,675.00	to	6,699.99	.....	267
509.	.....	6,700.00	to	6,724.99	.....	268
510.	.....	6,725.00	to	6,749.99	.....	269
511.	.....	6,750.00	to	6,774.99	.....	270
512.	.....	6,775.00	to	6,799.99	.....	271
513.	.....	6,800.00	to	6,824.99	.....	272
514.	.....	6,825.00	to	6,849.99	.....	273
515.	6,850.00	to	6,874.99	274
516.	6,875.00	to	6,899.99	275
517.	6,900.00	to	6,924.99	276

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518.	6,925.00	to	6,949.99	277
519.	6,950.00	to	6,974.99	278
520.	6,975.00	to	6,999.99	279
521.	7,000.00	to	7,024.99	280
522.	.....	7,025.00	to	7,049.99	.....	281
523.	.....	7,050.00	to	7,074.99	.....	282
524.	.....	7,075.00	to	7,099.99	.....	283
525.	.....	7,100.00	to	7,124.99	.....	284
526.	.....	7,125.00	to	7,149.99	.....	285
527.	.....	7,150.00	to	7,174.99	.....	286
528.	.....	7,175.00	to	7,199.99	.....	287
529.	.....	7,200.00	to	7,224.99	.....	288
530.	.....	7,225.00	to	7,249.99	.....	289
531.	.....	7,250.00	to	7,274.99	.....	290
532.	.....	7,275.00	to	7,299.99	.....	291
533.	.....	7,300.00	to	7,324.99	.....	292
534.	.....	7,325.00	to	7,349.99	.....	293
535.	.....	7,350.00	to	7,374.99	.....	294
536.	.....	7,375.00	to	7,399.99	.....	295
537.	.....	7,400.00	to	7,424.99	.....	296
538.	.....	7,425.00	to	7,449.99	.....	297
539.	7,450.00	to	7,474.99	298
540.	7,475.00	to	7,499.99	299
541.	7,500.00	to	7,524.99	300

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542.	7,525.00	to	7,549.99	301
543.	7,550.00	to	7,574.99	302
544.	7,575.00	to	7,599.99	303
545.	7,600.00	to	7,624.99	304
546.	.....	7,625.00	to	7,649.99	.....	305
547.	.....	7,650.00	to	7,674.99	.....	306
548.	.....	7,675.00	to	7,699.99	.....	307
549.	.....	7,700.00	to	7,724.99	.....	308
550.	.....	7,725.00	to	7,749.99	.....	309
551.	.....	7,750.00	to	7,774.99	.....	310
552.	.....	7,775.00	to	7,799.99	.....	311
553.	.....	7,800.00	to	7,824.99	.....	312
554.	.....	7,825.00	to	7,849.99	.....	313
555.	.....	7,850.00	to	7,874.99	.....	314
556.	.....	7,875.00	to	7,899.99	.....	315
557.	.....	7,900.00	to	7,924.99	.....	316
558.	.....	7,925.00	to	7,949.99	.....	317
559.	.....	7,950.00	to	7,974.99	.....	318
560.	.....	7,975.00	to	7,999.99	.....	319
561.	.....	8,000.00	to	8,024.99	.....	320
562.	.....	8,025.00	to	8,049.99	.....	321
563.	8,050.00	to	8,074.99	322
564.	8,075.00	to	8,099.99	323
565.	8,100.00	to	8,124.99	324

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566.	8,125.00	to	8,149.99	325
567.	8,150.00	to	8,174.99	326
568.	8,175.00	to	8,199.99	327
569.	8,200.00	to	8,224.99	328
570.	.....	8,225.00	to	8,249.99	.....	329
571.	.....	8,250.00	to	8,274.99	.....	330
572.	.....	8,275.00	to	8,299.99	.....	331
573.	.....	8,300.00	to	8,324.99	.....	332
574.	.....	8,325.00	to	8,349.99	.....	333
575.	.....	8,350.00	to	8,374.99	.....	334
576.	.....	8,375.00	to	8,399.99	.....	335
577.	.....	8,400.00	to	8,424.99	.....	336
578.	.....	8,425.00	to	8,449.99	.....	337
579.	.....	8,450.00	to	8,474.99	.....	338
580.	.....	8,475.00	to	8,499.99	.....	339
581.	.....	8,500.00	to	8,524.99	.....	340
582.	.....	8,525.00	to	8,549.99	.....	341
583.	.....	8,550.00	to	8,574.99	.....	342
584.	.....	8,575.00	to	8,599.99	.....	343
585.	.....	8,600.00	to	8,624.99	.....	344
586.	.....	8,625.00	to	8,649.99	.....	345
587.	8,650.00	to	8,674.99	346
588.	8,675.00	to	8,699.99	347
589.	8,700.00	to	8,724.99	348

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590.	8,725.00	to	8,749.99	349
591.	8,750.00	to	8,774.99	350
592.	8,775.00	to	8,799.99	351
593.	8,800.00	to	8,824.99	352
594.	.....	8,825.00	to	8,849.99	.....	353
595.	.....	8,850.00	to	8,874.99	.....	354
596.	.....	8,875.00	and over	.....		355

SECTION 31. 108.05 (3) (a) of the statutes is amended to read:

108.05 **(3)** (a) Except as provided in pars. (b) and (c), if an eligible employee earns wages in a given week, the first \$30 of the wages shall be disregarded and the employee's applicable weekly benefit payment shall be reduced by 67% of the remaining amount, except that no such employee is eligible for benefits if the employee's benefit payment would be less than \$5 for any week. For purposes of this paragraph, "wages" includes any salary reduction amounts earned that are not wages and that are deducted from the salary of a claimant by an employer pursuant to a salary reduction agreement under a cafeteria plan, within the meaning of 26 USC 125, and any amount that a claimant would have earned in available work which is treated as wages under s. 108.04 (1) (a), ~~but excludes any amount that a claimant earns for services performed as a volunteer fire fighter, volunteer emergency medical technician or volunteer 'first responder.~~ In applying this paragraph, the department shall disregard discrepancies of less than \$2 between wages reported by employees and employers.

SECTION 32. 108.05 (10) (b) of the statutes is amended to read:

108.05 **(10)** (b) Second, to recover overpayments under s. 108.22 (8) (b) 1.

SENATE BILL 426**SECTION 33**

1 **SECTION 33.** 108.068 (2) of the statutes is amended to read:

2 108.068 (2) The department shall treat a limited liability company that files
3 proof under sub. (1) as a corporation under this chapter beginning on the same date
4 that the federal internal revenue service treats the company as a corporation for
5 federal tax purposes, except that for benefit purposes the treatment shall apply on
6 ~~the same date that the internal revenue service applies the treatment or the date~~
7 ~~that proof is filed with the department, whichever is later~~ to benefit years in
8 existence on or beginning on or after the date that the federal internal revenue
9 service treats the company as a corporation for federal tax purposes if the benefit
10 year to which the treatment is to be applied has not ended on the date that the
11 department first has notice of a benefit eligibility issue that relates to treatment of
12 that limited liability company.

13 **SECTION 34.** 108.068 (8) of the statutes is amended to read:

14 108.068 (8) The department shall treat a limited liability company that files
15 proof under sub. (7) as a partnership or sole proprietorship under this chapter
16 beginning on the same date that the federal internal revenue service treats the
17 company as a partnership or sole proprietorship for federal tax purposes, except that
18 for benefit purposes the treatment shall apply ~~on the same date that the internal~~
19 ~~revenue service applies the treatment or the date that proof is filed with the~~
20 ~~department, whichever is later~~ to benefit years in existence on or beginning on or
21 after the date that the federal internal revenue service treats the company as a
22 partnership or sole proprietorship for federal tax purposes if the benefit year to
23 which the treatment is to be applied has not ended on the date that the department
24 first has notice of a benefit eligibility issue that relates to treatment of that liability
25 company.

SENATE BILL 426**SECTION 35**

SECTION 35. 108.09 (2) (bm) of the statutes is amended to read:

108.09 **(2)** (bm) In determining whether an individual meets the conditions specified in s. 108.02 (12) (b) 2. a. or b. ~~or~~ (bm) ~~1. or 2.~~ 3. or 4., or (c) 1., the department shall not consider documents granting operating authority or licenses, or any state or federal laws or federal regulations granting such authority or licenses.

SECTION 36. 108.09 (4n) of the statutes is created to read:

108.09 **(4n)** EMPLOYMENT DATA SYSTEM REPORTS. If the department maintains a database system consisting of occupational information and employment conditions data, and an employee of the department, including an individual who serves as an appeal tribunal, creates a report from the system, the report constitutes prima facie evidence as to the matters contained in the report in any proceeding under this section if:

(a) The department has provided to the parties an explanation of the system and the reports created from the system prior to admission of the report.

(b) The parties have been given the opportunity to review and object to the report, including the accuracy of any information used in creating the report, prior to its admission into evidence.

(c) The report sets forth all of the information used in creating the report.

SECTION 37. 108.09 (4s) of the statutes is amended to read:

108.09 **(4s)** EMPLOYEE STATUS. In determining whether an individual meets the conditions specified in s. 108.02 (12) (b) 2. a. or b. ~~or~~ (bm) ~~1. or 2.~~ 3. or 4., or (c) 1., the appeal tribunal shall not take administrative notice of or admit into evidence documents granting operating authority or licenses, or any state or federal laws or federal regulations granting such authority or licenses.

SENATE BILL 426**SECTION 38**

1 **SECTION 38.** 108.105 of the statutes is renumbered 108.105 (1) and amended
2 to read:

3 108.105 (1) The department may suspend the privilege of any agent to appear
4 before the department at hearings under this chapter for a specified period if the
5 department finds that the agent has engaged in an act of fraud or misrepresentation
6 ~~or~~ has repeatedly failed to comply with departmental rules, or has engaged in the
7 solicitation of a claimant solely for the purpose of appearing at a hearing as the
8 claimant's representative for pay.

9 **(3)** Prior to imposing a suspension under this section, the secretary of
10 workforce development or the secretary's designee shall conduct a hearing
11 concerning the proposed suspension. The hearing shall be conducted under ch. 227
12 and the decision of the department may be appealed under s. 227.52.

13 **SECTION 39.** 108.105 (2) of the statutes is created to read:

14 108.105 (2) The department may suspend the privilege of an agent to act as an
15 employer's representative under this chapter for up to one year if, during any
16 12-month period, in 5 percent or more of all appeal tribunal hearings held in which
17 employers represented by the agent are appellants there is a final appeal tribunal
18 decision finding that the employer represented by the agent failed to provide correct
19 and complete information requested by the department during a fact-finding
20 investigation and there is no finding that the employer had good cause for that
21 failure.

22 **SECTION 40.** 108.151 (4) (b) of the statutes is amended to read:

23 108.151 (4) (b) The fund's treasurer shall issue a receipt to the employer for its
24 deposit of assurance. Any assurances shall be retained by the fund's treasurer in
25 escrow, for the fund, until the employer's liability under its election is terminated,

SENATE BILL 426**SECTION 40**

1 at which time they shall be returned to the employer, less any deductions made under
2 this paragraph. The employer may at any time substitute assurances of equal or
3 greater value. The treasurer may, with 10 days' notice to the employer, liquidate the
4 assurances deposited to the extent necessary to satisfy any delinquent
5 reimbursements or assessments due under this section together with any interest
6 and any tardy filing fees due. The treasurer shall hold in escrow any cash remaining
7 from the sale of the assurances, without interest. The fund's treasurer shall require
8 the employer within 30 days following any liquidation of deposited assurances to
9 deposit sufficient additional assurances to make whole the employer's deposit at the
10 prior level. Any income from assurances held in escrow shall inure to and be the
11 property of the employer.

12 **SECTION 41.** 108.151 (7) of the statutes is created to read:

13 108.151 (7) UNCOLLECTIBLE REIMBURSEMENTS. (a) In this subsection, "payroll"
14 has the meaning given in s. 108.02 (21) (a).

15 (b) Except as provided in par. (f), each employer that has elected
16 reimbursement financing under this section and that is subject to this chapter as of
17 the date that a rate of assessment is established under this subsection shall pay an
18 assessment to the fund at a rate determined by the fund's treasurer under par. (c).

19 (c) The fund's treasurer shall determine the total amount due from employers
20 electing reimbursement financing under this section that is uncollectible as of June
21 30 of each year, but not including any amount that the department determined to be
22 uncollectible prior to January 1, 2004. No amount may be treated as uncollectible
23 under this paragraph unless the department has exhausted all reasonable remedies
24 for collection of the amount, including liquidation of the assurance required under
25 sub. (4). The department shall charge the total amounts so determined to the

SENATE BILL 426**SECTION 41**

1 uncollectible reimbursable benefits account under s. 108.16 (6w). Whenever, as of
2 June 30 of any year, this account has a negative balance of \$5,000 or more, the
3 treasurer shall determine the rate of an assessment to be levied under par. (b) for that
4 year, which shall then become payable by all employers that have elected
5 reimbursement financing under this section as of that date.

6 (d) The rate of assessment under this subsection for each calendar year shall
7 be a rate, when applied to the payrolls of all employers electing reimbursement
8 financing under this section for the preceding calendar year, that will generate an
9 amount that equals the total amount determined to be uncollectible under par. (c),
10 but not more than \$200,000 for any year.

11 (e) Except as provided in par. (f), the rate of each employer's assessment under
12 this subsection for any calendar year is the product of the rate determined under par.
13 (d) multiplied by the employer's payroll for the preceding calendar year, as reported
14 by the employer under sub. (8) or s. 108.15 (8), 108.152 (7), or 108.17 (2) or, in the
15 absence of reports, as estimated by the department.

16 (f) If any employer would otherwise be assessed an amount less than \$10 for
17 a calendar year, the department shall, in lieu of requiring that employer to pay an
18 assessment for that calendar year, apply the amount that the employer would have
19 been required to pay to the other employers on a pro rata basis.

20 (g) The department shall bill assessments to employers under this subsection
21 in the same manner as provided in sub. (5) (f) for the month of September in each
22 year, and the assessment is due for payment in the same manner as other payments
23 under sub. (5) (f). If any assessment is past due, the department shall assess interest
24 on the balance due under s. 108.22. If any employer is delinquent in paying an
25 assessment under this subsection, the department may terminate the employer's

SENATE BILL 426**SECTION 41**

1 election of reimbursement financing under this section as of the close of any calendar
2 year in which the employer remains delinquent.

3 (h) If the payroll of an employer is adjusted to decrease the amount of the
4 payroll after a contribution report for the employer is filed under s. 108.17 (2), the
5 department shall refund any assessment that is overpaid by the employer under this
6 subsection as a result of the adjustment.

7 **SECTION 42.** 108.151 (8) of the statutes is created to read:

8 108.151 **(8)** REPORTS. Each nonprofit organization that is an employer shall
9 make employment and wage reports to the department under the same conditions
10 that apply to other employers.

11 **SECTION 43.** 108.152 (7) of the statutes is created to read:

12 108.152 **(7)** REPORTS. Each Indian tribe that is an employer shall make
13 employment and wage reports to the department under the same conditions that
14 apply to other employers.

15 **SECTION 44.** 108.16 (6m) (a) of the statutes is amended to read:

16 108.16 **(6m)** (a) The benefits thus chargeable under s. 108.04 (1) (f), (5), (5g),
17 (7) (h), (8) (a), (13) (c) or (d) or (16) (e), 108.07 (3), (3r), (5) (b), (5m), (6), or (8), 108.14
18 (8n) (e), 108.141, 108.151, or 108.152 or sub. (6) (e) or (7) (a) and (b).

19 **SECTION 45.** 108.16 (6w) and (6x) of the statutes are created to read:

20 108.16 **(6w)** The department shall maintain within the fund an uncollectible
21 reimbursable benefits account to which the department shall credit all amounts
22 received from employers under s. 108.151 (7).

23 **(6x)** The department shall charge to the uncollectible reimbursable benefits
24 account the amount of any benefits paid from the balancing account that are
25 reimbursable under s. 108.151 but for which the department does not receive

SENATE BILL 426**SECTION 45**

1 reimbursement after the department exhausts all reasonable remedies for collection
2 of the amount.

3 **SECTION 46.** 108.16 (8) (e) 1. of the statutes is amended to read:

4 108.16 **(8)** (e) 1. At the time of business transfer, the transferor and the
5 transferee are owned, managed, or controlled in whole or in substantial part, either
6 directly or indirectly by legally enforceable means or otherwise, by the same interest
7 or interests. Without limitation by reason of enumeration, it is presumed unless
8 shown to the contrary that the “same interest or interests” includes the spouse, child,
9 or parent of the individual who owned, managed or controlled the business, or any
10 combination of more than one of them.

11 **SECTION 47.** 108.16 (8) (em) of the statutes is created to read:

12 108.16 **(8)** (em) If, after the transferee of a business has been deemed a
13 successor under par. (e), the department determines that a substantial purpose of the
14 transfer of the business was to obtain a reduced contribution rate, then the
15 department shall treat the transfer as having no effect for purposes of this chapter
16 and shall, retroactively to the date of the transfer, reassign to the transferor all
17 aspects of the transferor’s account experience and liability that had been assigned
18 to the transferee, together with all aspects of the transferee’s account experience
19 related to the transferred business, and shall recompute the transferor’s
20 contribution rate as provided in par. (h).

21 **SECTION 48.** 108.16 (8) (h) of the statutes is amended to read:

22 108.16 **(8)** (h) The department shall determine or redetermine the contribution
23 rate for ~~a successor subject to this chapter immediately prior to the date of the~~
24 ~~transfer shall be redetermined, as of the applicable computation date, to apply to the~~
25 ~~calendar year following the date of transfer and~~ the successor effective as of the

SENATE BILL 426**SECTION 48**

1 beginning of the first quarter following the date of the transfer of the business. The
2 department shall thereafter be redetermined redetermine the contribution rate
3 whenever required by s. 108.18. For the purposes of s. 108.18, the department shall
4 determine the experience under this chapter of the successor's account by allocating
5 to the successor's account for each period in question the respective proportions of
6 the transferor's payroll and benefits which the department determines to be properly
7 assignable to the business transferred.

8 **SECTION 49.** 108.16 (8) (im) of the statutes is created to read:

9 108.16 **(8)** (im) Notwithstanding pars. (b) to (i), a transferee who is not subject
10 to this chapter on the date of transfer of a business shall not be deemed a successor
11 to the transferor if the department determines that the transfer occurred solely or
12 primarily for the purpose of obtaining a lower contribution rate for the transferee
13 than the rate that would otherwise apply if the transferee were deemed a new
14 employer. In determining whether a business was transferred solely or primarily for
15 the purpose of obtaining a lower contribution rate for the transferee than the rate
16 that would otherwise apply, the department shall use objective factors, which may
17 include the cost of acquiring the business, whether the transferee continued the
18 business enterprise of the transferred business, the length of time that the business
19 enterprise was continued, or whether a substantial number of new employees were
20 hired for the performance of duties unrelated to the business activity conducted by
21 the transferor prior to the transfer.

22 **SECTION 50.** 108.16 (8) (m) to (o) of the statutes are created to read:

23 108.16 **(8)** (m) If any person knowingly makes or attempts to make a false
24 statement or representation to the department in connection with any investigation
25 to determine whether an employer qualifies to be deemed a successor under par. (e)

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1 or (im) or any other provision of this chapter for the purpose of determining the
2 assignment of a contribution rate, or if any person knowingly advises another person
3 to do so, including by willful evasion, nondisclosure, or misrepresentation, the person
4 is subject to the following penalties:

5 1. If the person is an employer, then the department shall assign the employer
6 the highest contribution rate assignable under this chapter for the year, during
7 which the violation or attempted violation occurs and the 3 succeeding years, except
8 that if the department assigns the employer the highest contribution rate for any
9 such year under other provisions of this chapter or if the increase in the employer's
10 contribution rate under this subdivision would be less than 2 percent on its payroll
11 for any year, then the department shall increase the employer's contribution rate by
12 2 percent on its payroll for each year in which a penalty applies under this
13 subdivision.

14 2. If the person is not an employer, the person may be required to forfeit not
15 more than \$5,000.

16 3. The person is guilty of a Class A misdemeanor.

17 (n) The department shall utilize uniform procedures to identify businesses that
18 are transferred under this subsection.

19 (o) Paragraphs (e) 1., (em), (h), (im), and (m) shall be interpreted and applied,
20 insofar as possible, to meet the minimum requirements of any guidance issued by or
21 regulations promulgated by the U.S. department of labor.

22 **SECTION 51.** 108.17 (2b) of the statutes is created to read:

23 108.17 **(2b)** The department shall prescribe a form and methodology for filing
24 contribution reports under sub. (2) electronically using the Internet. Each employer
25 of 50 or more employees, as determined under s. 108.22 (1) (ae), that does not use an

SENATE BILL 426**SECTION 51**

1 employer agent to file its contribution reports under this section shall file its
2 contribution reports electronically using the Internet on the form prescribed by the
3 department. Once an employer becomes subject to the reporting requirements under
4 this subsection, it shall continue to file its reports under this subsection unless that
5 requirement is waived by the department.

6 **SECTION 52.** 108.17 (2g) of the statutes is amended to read:

7 108.17 **(2g)** An employer agent that prepares reports under sub. (2) on behalf
8 of less than 25 employers shall file those reports electronically using the Internet on
9 the form prescribed by the department under sub. (2b). An employer agent that files
10 prepares reports under sub. (2) on behalf of 25 or more employers shall file those
11 reports using an electronic medium and format approved by the department. An
12 employer agent that becomes subject to the reporting requirement under this
13 subsection shall file its initial reports under this subsection for the 4th quarter
14 beginning after the quarter in which the employer agent becomes subject to the
15 reporting requirement. Once an employer agent becomes subject to the reporting
16 requirement under this subsection, the employer agent shall continue to file its
17 reports under this subsection unless that requirement is waived by the department.

18 **SECTION 53.** 108.18 (1) (a) of the statutes is amended to read:

19 108.18 **(1)** (a) ~~Each~~ Unless a penalty applies under s. 108.16 (8) (m), each
20 employer shall pay contributions to the fund for each calendar year at whatever rate
21 on the employer's payroll for that year duly applies to the employer pursuant to this
22 section.

23 **SECTION 54.** 108.18 (2) (d) of the statutes is amended to read:

24 108.18 **(2)** (d) No later than 90 days after the department issues an initial
25 determination that a person is an employer, any employer other than an employer

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1 specified in par. (c), having a payroll exceeding \$10,000,000 in a calendar year may
2 elect that its contribution rate shall be one percent on its payroll for the first 3
3 calendar years with respect to which contributions are credited to its account. In
4 such case, the department shall credit the amount collected in excess of this amount
5 against liability of the employer for future contributions after the close of each
6 calendar year in which an election applies. If an employer qualifies for and makes
7 an election under this paragraph, the employer shall, upon notification by the
8 department, make a special contribution after the close of each quarter equivalent
9 to the amount by which its account is overdrawn, if any, for the preceding quarter.
10 The department shall credit any timely payment of contributions to the employer's
11 account before making a determination of liability for a special contribution under
12 this paragraph. An employer does not qualify for an alternate contribution rate
13 under this paragraph at any time during which the employer's special contribution
14 payment is delinquent. An employer that is the transferee of a business enterprise
15 but does not qualify to be treated as a successor under s. 108.16 (8) (im) does not
16 qualify for an alternate contribution rate under this paragraph.

17 **SECTION 55.** 108.20 (2m) of the statutes is amended to read:

18 108.20 **(2m)** From the moneys not appropriated under s. 20.445 (1) (ge), (gf)
19 ~~and, (gg), and (gi)~~ which are received by the administrative account as interest and
20 penalties under this chapter, the department shall pay the benefits chargeable to the
21 administrative account under s. 108.07 (5) and the interest payable to employers
22 under s. 108.17 (3m) and may pay interest due on advances to the unemployment
23 reserve fund from the federal unemployment account under title XII of the social
24 security act, 42 USC 1321 to 1324, may make payments to satisfy a federal audit
25 exception concerning a payment from the fund or any federal aid disallowance

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1 involving the unemployment insurance program, or may make payments to the fund
2 if such action is necessary to obtain a lower interest rate or deferral of interest
3 payments on advances from the federal unemployment account under title XII of the
4 social security act, except that any interest earned pending disbursement of federal
5 employment security grants under s. 20.445 (1) (n) shall be credited to the general
6 fund. Any moneys reverting to the administrative account from the appropriations
7 under s. 20.445 (1) (ge) and (gf) shall be utilized as provided in this subsection.

8 **SECTION 56.** 108.205 (1m) of the statutes is created to read:

9 108.205 **(1m)** (a) The department shall prescribe a form and methodology for
10 filing reports under sub. (1) electronically using the Internet.

11 (b) Each employer agent shall file its reports electronically in the form
12 prescribed by the department.

13 **SECTION 57.** 108.205 (2) of the statutes is amended to read:

14 108.205 **(2)** All employers of ~~100~~ 50 or more employees, as determined under
15 s. 108.22 (1) (ae), shall file the quarterly report under sub. (1) using an electronic
16 medium approved by the department for such employers. An employer that becomes
17 subject to the reporting requirement under this subsection shall file its initial report
18 under this subsection for the 4th quarter beginning after the quarter in which the
19 employer becomes subject to the reporting requirement. Once an employer becomes
20 subject to the reporting requirement under this subsection, the employer shall
21 continue to file its quarterly reports under this subsection unless that requirement
22 is waived by the department.

23 **SECTION 58.** 108.22 (1) (ac) of the statutes is amended to read:

24 108.22 **(1)** (ac) In addition to any fee assessed under par. (a), the department
25 may assess an employer or employer agent that is subject to the reporting

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1 requirement under s. 108.205 (2) and that fails to file its report in a format prescribed
2 under that subsection ~~may be assessed~~ a penalty of \$10 for each employee whose
3 information is not reported in a format prescribed under s. 108.205 (1m) (b) or (2).

4 **SECTION 59.** 108.22 (1) (ad) of the statutes is renumbered 108.22 (1) (ad) 1.

5 **SECTION 60.** 108.22 (1) (ad) 2. of the statutes is created to read:

6 108.22 **(1)** (ad) 2. An employer that is subject to the reporting requirements
7 under s. 108.17 (2b) and that fails to file a contribution report in accordance with s.
8 108.17 (2b) may be assessed a penalty by the department in the amount of \$25 for
9 each report that is not filed in accordance with s. 108.17 (2b).

10 **SECTION 61.** 108.22 (1) (b) of the statutes is amended to read:

11 108.22 **(1)** (b) If the due date of a report or payment under s. 108.15 (5) (b),
12 108.151 (5) (f) or (7), 108.16 (8), 108.17, or 108.205 would otherwise be a Saturday,
13 Sunday, or legal holiday under state or federal law, the due date is the next following
14 day which is not a Saturday, Sunday, or legal holiday under state or federal law.

15 **SECTION 62.** 108.22 (1) (c) of the statutes is amended to read:

16 108.22 **(1)** (c) Any report or payment, except a payment required by s. 108.15
17 (5) (b) or 108.151 (5) (f) or (7), to which this subsection applies is delinquent, within
18 the meaning of par. (a), unless it is received by the department, in the form prescribed
19 by law or rule of the department, no later than its due date as determined under par.
20 (b), or if mailed is either postmarked no later than that due date or is received by the
21 department no later than 3 days after that due date. Any payment required by s.
22 108.15 (5) (b) or 108.151 (5) (f) or (7) is delinquent, within the meaning of par. (a),
23 unless it is received by the department, in the form prescribed by law, no later than
24 the last day of the month in which it is due.

25 **SECTION 63.** 108.22 (1m) of the statutes is amended to read:

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1 108.22 **(1m)** If an employer owes any contributions, reimbursements or
2 assessments under s. 108.15 or 108.151, interest, fees, or payments for forfeitures or
3 other penalties to the department under this chapter and fails to pay the amount
4 owed, the department has a perfected lien upon the employer's right, title, and
5 interest in all of its real and personal property located in this state in the amount
6 finally determined to be owed, plus costs. Except where creation of a lien is barred
7 or stayed by bankruptcy or other insolvency law, the lien is effective when the
8 department issues a determination of the amount owed under s. 108.10 (1) and shall
9 continue until the amount owed, plus costs and interest to the date of payment, is
10 paid. If a lien is initially barred or stayed by bankruptcy or other insolvency law, it
11 shall become effective immediately upon expiration or removal of such bar or stay.
12 The perfected lien does not give the department priority over lienholders,
13 mortgagees, purchasers for value, judgment creditors, and pledges whose interests
14 have been recorded before the department's lien is recorded.

15 **SECTION 64.** 108.22 (2) of the statutes is amended to read:

16 108.22 **(2)** (a) 1. If any employing unit or any individual who is found personally
17 liable under sub. (9) fails to pay to the department any amount found to be due it in
18 proceedings pursuant to s. 108.10, provided that no appeal or review permitted
19 under s. 108.10 is pending and that the time for taking an appeal or review has
20 expired, the department or any authorized representative may issue a warrant
21 directed to the clerk of circuit court for any county of the state.

22 2. The clerk of circuit court shall enter in the judgment and lien docket the
23 name of the employing unit or individual mentioned in the warrant and the amount
24 of the contributions, interest, costs and other fees for which the warrant is issued and
25 the date when such copy is entered.

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1 3. A warrant entered under subd. 2. shall be considered in all respects as a final
2 judgment constituting a perfected lien upon the employing unit's or individual's
3 right, title and interest in all real and personal property located in the county where
4 the warrant is entered.

5 4. The department or any authorized representative may thereafter file an
6 execution with the clerk of circuit court for filing by the clerk of circuit court with the
7 sheriff of any county where real or personal property of the employing unit or
8 individual is found, commanding the sheriff to levy upon and sell sufficient real and
9 personal property of the employing unit or individual to pay the amount stated in the
10 warrant in the same manner as upon an execution against property issued upon the
11 judgment of a court of record, and to return the warrant to the department and pay
12 to it the money collected by virtue thereof within 60 days after receipt of the warrant.

13 (b) The clerk of circuit court shall accept, file and enter each warrant under par.
14 (a) and each satisfaction, release, or withdrawal under subs. (5), (6), and (8m) in the
15 judgment and lien docket without prepayment of any fee, but the clerk of circuit court
16 shall submit a statement of the proper fee semiannually to the department covering
17 the periods from January 1 to June 30 and July 1 to December 31 unless a different
18 billing period is agreed to between the clerk of circuit court and the department. The
19 fees shall then be paid by the department, but the fees provided by s. 814.61 (5) for
20 entering the warrants shall be added to the amount of the warrant and collected from
21 the employing unit or individual when satisfaction or release is presented for entry.

22 **SECTION 65.** 108.22 (8) (b) of the statutes is renumbered 108.22 (8) (b) 1. and
23 amended to read:

24 108.22 **(8)** (b) 1. To recover any overpayment which is not otherwise repaid or
25 recovery of which has not been waived, ~~or any assessment under s. 108.04 (11) (em),~~

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1 the department may recoup the amount of the overpayment from benefits the
2 individual would otherwise be eligible to receive, or file a warrant against the liable
3 individual in the same manner as is provided in this section for collecting delinquent
4 payments from employers, or both, ~~but only to the extent of recovering.~~

5 3. Any recovery under this paragraph is limited to the actual amount of the
6 overpayment or assessment and any costs and disbursements, without interest.

7 **SECTION 66.** 108.22 (8) (b) 2. of the statutes is created to read:

8 108.22 **(8)** (b) 2. To recover any assessment under s. 108.04 (11) (cm), the
9 department may file a warrant against the liable individual in the same manner as
10 is provided in this section for collecting delinquent payments from employers.

11 **SECTION 67.** 108.225 (1) (a) of the statutes is amended to read:

12 108.225 **(1)** (a) "Contribution" includes a reimbursement or assessment under
13 s. 108.15, 108.151, or 108.152, interest for a nontimely payment, fees, and any
14 payment due for a forfeiture imposed upon an employing unit under s. 108.04 (11)
15 (c) or other penalty assessed by the department under this chapter.

16 **SECTION 68.** 108.225 (20) of the statutes is amended to read:

17 108.225 **(20)** COST OF LEVY. Any Whenever property is secured by means of a
18 levy, any 3rd party in possession of the debtor's property is entitled to collect from
19 the debtor a levy fee of \$5 for each levy in any case where property is secured through
20 the levy which a debt is satisfied by means of a single payment and \$15 for each levy
21 in which a debt is satisfied by means of more than one payment. The fee is payable
22 from the property levied against and is in addition to the amount of the levy. The 3rd
23 party shall deduct the fee from the proceeds of may charge the fee to the debtor at
24 the time the party transfers the proceeds of the levy to the department.

25 **SECTION 69.** 108.24 (2) of the statutes is amended to read:

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1 108.24 (2) Any Except as provided in s. 108.16 (8) (m), any person who
2 knowingly makes a false statement or representation in connection with any report
3 or as to any information duly required by the department under this chapter, or who
4 knowingly refuses or fails to keep any records or to furnish any reports or information
5 duly required by the department under this chapter, shall be fined not less than \$100
6 nor more than \$500, or imprisoned not more than 90 days or both; and each such false
7 statement or representation and every day of such refusal or failure constitutes a
8 separate offense.

9 **SECTION 70.** 165.066 of the statutes is created to read:

10 **165.066 Assistant attorney general; unemployment insurance law**
11 **enforcement.** The attorney general shall assign at least 0.5 assistant attorney
12 general position to assist in the investigation and prosecution of noncompliance with
13 ch. 108.

14 **SECTION 71.** 165.60 of the statutes is amended to read:

15 **165.60 Law enforcement.** The department of justice is authorized to enforce
16 ss. 101.123 (2), (5), and (8), 944.30, 944.31, 944.33, 944.34, 945.02 (2), 945.03 (1m),
17 and 945.04 (1m) and ch. 108 and is invested with the powers conferred by law upon
18 sheriffs and municipal police officers in the performance of those duties. This section
19 does not deprive or relieve sheriffs, constables, and other local police officers of the
20 power and duty to enforce those sections, and those officers shall likewise enforce
21 those sections.

22 **SECTION 72. Nonstatutory provisions.**

23 (1) **STUDY OF UNEMPLOYMENT INSURANCE FUND.** The department of workforce
24 development shall study the long-term fiscal stability of the unemployment reserve
25 fund and shall determine what measures, if any, are required to maintain that

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1 stability. The department shall report its findings and recommendations to the
2 council on unemployment insurance no later than July 1, 2007.

3 (2) AUTHORIZED POSITIONS; DEPARTMENT OF JUSTICE. The authorized FTE
4 positions for the department of justice are increased by 0.5 PR–S position on January
5 1, 2006, to be funded from the appropriation under section 20.455 (2) (k) of the
6 statutes.

7 **SECTION 73. Initial applicability.**

8 (1) The treatment of sections 108.02 (12) (a) and 108.09 (2) (bm) and (4s) of the
9 statutes first applies with respect to employment after December 31, 2005.

10 (2) The treatment of section 108.02 (15) (j) 7. of the statutes first applies with
11 respect to employment after December 31, 2005.

12 (3) The treatment of section 108.02 (15) (k) 14. of the statutes first applies with
13 respect to benefit years that begin on the effective date of this subsection.

14 (4) The treatment of section 108.02 (21e) (intro.) of the statutes first applies
15 with respect to determinations issued under sections 108.09 and 108.10 of the
16 statutes in the first week beginning in January 2006 or, with respect to
17 determinations that are appealed, to decisions issued under sections 108.09 and
18 108.10 of the statutes in the first week beginning in January 2006.

19 (5) The treatment of section 108.04 (1) (b) 1. and 3. (intro.) and (c) of the statutes
20 first applies with respect to suspensions and terminations of employment occurring
21 on the effective date of this subsection.

22 (6) The treatment of section 108.04 (1) (e) of the statutes first applies with
23 respect to weeks of unemployment beginning on the effective date of this subsection.

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1 (7) The treatment of section 108.04 (5) and (5g) of the statutes first applies with
2 respect to discharges occurring on the first Sunday that follows the 90th day
3 beginning after the effective date of this subsection.

4 (8) The treatment of section 108.04 (7) (f) of the statutes first applies with
5 respect to terminations of employment occurring on the effective date of this
6 subsection.

7 (9) The treatment of section 108.04 (13) (c), (e), and (g) of the statutes first
8 applies with respect to redeterminations issued under section 108.09 of the statutes
9 on the effective date of this subsection or, with respect to matters in which no
10 redetermination is issued, with respect to decisions issued under section 108.09 of
11 the statutes on the effective date of this subsection.

12 (10) The treatment of section 108.04 (16) (b) and (c) 2. of the statutes first
13 applies with respect to determinations issued under section 108.09 of the statutes on
14 the effective date of this subsection or, with respect to determinations that are
15 appealed, to decisions issued under section 108.09 of the statutes on the effective
16 date of this subsection.

17 (11) The treatment of section 108.05 (3) (a) of the statutes first applies with
18 respect to weeks of unemployment beginning on the effective date of this subsection.

19 (12) The treatment of section 108.09 (4n) of the statutes first applies with
20 respect to appeals filed on the effective date of this subsection.

21 (13) The treatment of section 108.105 (2) of the statutes first applies with
22 respect to suspensions resulting from appeal tribunal hearings held on the effective
23 date of this subsection.

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1 (14) The treatment of sections 108.151 (4) (b) and (7), 108.16 (6w) and (6x),
2 108.22 (1) (b) and (c) and (1m), and 108.225 (1) (a) of the statutes first applies with
3 respect to payrolls for the 2005 calendar year.

4 (15) The treatment of sections 108.16 (8) (e) 1., (em), (h), (im), (m), and (n),
5 108.18 (1) (a) and (2) (d), and 108.24 (2) of the statutes first applies with respect to
6 transfers of businesses occurring after December 31, 2005.

7 (16) The treatment of section 108.17 (2b) of the statutes first applies to
8 employers of 75 or more employees with respect to reports required under section
9 108.17 (2) of the statutes for the 2nd quarter beginning after the quarter that
10 includes the effective date of this subsection.

11 (17) The treatment of section 108.17 (2b) of the statutes first applies to
12 employers of 50 to 74 employees with respect to reports required under section
13 108.17 (2) of the statutes for the 6th quarter beginning after the quarter that includes
14 the effective date of this subsection.

15 (18) The treatment of section 108.17 (2g) of the statutes first applies with
16 respect to reports filed under section 108.17 (2) of the statutes for the 2nd quarter
17 beginning after the quarter that includes the effective date of this subsection.

18 (19) The treatment of section 108.205 (1m) of the statutes first applies with
19 respect to reports filed under section 108.205 (1) of the statutes for the 2nd quarter
20 beginning after the quarter that includes the effective date of this subsection.

21 (20) The treatment of section 108.205 (2) of the statutes first applies to
22 employers of 75 to 99 employees with respect to reports required under section
23 108.205 (2) of the statutes for the 2nd quarter beginning after the quarter that
24 includes the effective date of this subsection.

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(21) The treatment of section 108.205 (2) of the statutes first applies to employers of 50 to 74 employees with respect to reports required under section 108.205 (2) of the statutes for the 6th quarter beginning after the quarter that includes the effective date of this subsection.

(22) The treatment of section 108.22 (2) of the statutes first applies with respect to liabilities existing on the effective date of this subsection.

(23) The treatment of section 108.225 (20) of the statutes first applies with respect to levies served on the effective date of this subsection.

SECTION 74. Effective date.

(1) This act takes effect on the first Sunday after publication.

(END)